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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/742,963	12/20/2000	Prasad V. Prabhu	80997DMW	8686

7590

03/24/2004

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EXAMINER

SAX, STEVEN PAUL

ART UNIT	PAPER NUMBER
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2174

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DATE MAILED: 03/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/742,963

Applicant(s)

PRABHU ET AL.

Examiner

Steven P Sax

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2174

DETAILED ACTION

1. This application has been examined.
2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
3. Claims 1-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shah et al (6088648) and Babin et al (5945985) and Torres et al (6608650).
4. Regarding claim 1, Shah et al show a method for browsing and retrieving images in a database via a GUI (Figure 5), including: receiving a digital image (column 3 lines 43-50), receiving position information in the form of metadata corresponding to a geographical location where the real object represented by an image is determined (column 4 lines 45-65), storing digital images and associated metadata in the database (column 5 lines 5-35, column 6 lines 65-67), generates a main display level having a first geographical metaphor with 'picture' icons, each corresponding to a group at said database at a specific location in the geographical metaphor (Figure 5, column 5 lines

Art Unit: 2174

20-40, column 6 lines 30-52). Shah et al do not specifically show how the digital images are captured pictures, in which it then would follow that the position information is where the image was captured, but do mention representing the object by a digital icon or mark to distinguish the object (column 5 lines 27-35). In addition, Torres et al do show capturing digital images to represent objects and storing them as pictures in a database for browsing and retrieving (Figures 6, 7, column 3 lines 40-55, column 4 lines 53-67, column 6 lines 9-13). It would have been obvious to a person with ordinary skill in the art to have capturing digital images to represent objects and storing them as pictures in a database for browsing and retrieving, in Shah et al, because it would provide a convenient way to represent an object digitally to distinguish it. Shah et al and Torres et al do not specifically go into the details of the second level of geographical metaphor, but Shah et al do show the greater geographic specificity of details (Figures 10,11, column 14 lines 57-67). Furthermore, Babin et al show a second level linked to the main display having a second geographical metaphor, with corresponding icons and groups of icons in a database (Figures 7,8, column 11 lines 5-30) for greater specificity of details. It would have been obvious to a person with ordinary skill in the art to include this feature in the method of Shah et al, because it would allow a convenient way to show specificity of details. The picture icon group obviousness then follows as above.

Art Unit: 2174

5. Regarding claim 2, the second level specificity in Shah et al is generated by activating a picture icon (column 7 lines 20-47). The obviousness to relate this to the geographic levels is obvious as explained above, and is further enhanced in motivation in that Babin et al show zooming (column 11 lines 20-35).

6. Regarding claim 3, Shah et al and Torres et al do not specifically say how the picture icon size is relative to the number of images or pictures generated or captured, but Shah et al do mention proper positioning given the placement on the metaphor (Shah et al column 7 lines 30-45). Furthermore, Babin et al do scale the images based on the zoom and thus the number of same level images in the display (column 11 lines 25-45), for proper positioning given the placement on the metaphor. It would have been obvious to a person with ordinary skill in the art to have the picture icon size relative to the number of images or pictures generated or captured in Shah et al, because it would allow proper positioning given the placement on the metaphor.

7. Regarding claim 4, the geographic specificity in Babin et al is user configurable (column 10 lines 45-67) and is part of the feature rendered obvious above.

Art Unit: 2174

8. Regarding claim 5, the metadata in Shah et al has temporal information (Figure 5, lower edge). The obviousness as explained above shows how this could be for captured images, and thus this data would be for capture information.

9. Regarding claim 6, the temporal specificity is configured by a user (Shah et al column 6 lines 50-55).

10. Regarding claim 7, thumbnail pictures corresponding to icons may not specifically be stated in Shah et al, but are in Torres et al (column 6 lines 45-60). It would have been obvious to a person with ordinary skill in the art to have this in Shah et al, because it would allow a convenient way to distinguish the icon.

11. Regarding claims 8-10, Babin et al show respectively the third, fourth, and fifth levels with greater geographical specificity (column 11 lines 23-33). The obviousness to include this in Shah et al follows as paragraph 1 of this Office Action.

12. Regarding claims 11-15, each level specifically in Babin et al, which was rendered obvious per the above, respectively is: a world map, continent map, state map, and city map (column 11 lines 23-33).

Art Unit: 2174

13. Claims 16-30 show the same features as above and are rejected for the same reasons.

14. Applicant's arguments filed 12/19/03 have been fully considered but they are not persuasive. Applicant quotes portions of Shah et al. Applicant's issue of whether the raster map is received is questioned. The raster map in fact is received, besides inherently, in addition explicitly by the database and processing system. Furthermore, the images are displayed. Applicant goes into discussion of the database and storage of the images, but note that the cited portions of Shah et al do in fact show this feature, atleast to the extent of what is claimed. Applicant really is returning to the same issue of the location where the image is captured. The Office Action is not claiming that Shah et al fully teaches this feature. Indeed, that is why the explanation of Shah's teachings leave off at "where the real object represented by an image is determined" Torres et al is brought in to fully realize this feature. Also, the concept 'picture' icons is broad. The icons are shown as described above. Each corresponds to a group of pictures in the database.

Torres et al is brought in to teach capturing digital images to represent objects and storing them as pictures in a database for browsing and retrieving. This motivation is valid to represent an object digitally and through digital display distinguish it. From there it follows, when combined with Shah et al, that the position information in Shah et al would be where the image is captured. Babin et al is brought in to teach the second

Art Unit: 2174

level link with the detailed geographical metaphor, and shows that as explained above.

The combination of the three references fully realizes the claims.

15. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven P Sax whose telephone number is 703-305-9582. The examiner can normally be reached on M-F 8:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2174

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

FORWARDED BY FAX
PRIMARY INVENTOR